

**APPENDIX B: YEAR BY YEAR ATTORNEYS'
FEES AND COSTS BY CASE**

2015																
Case	Willoughby		Elliot		Terrell		Haynsworth		Baker		Reinhart		Winston		Total	
	Hours	Cost	Hours	Cost	Hours	Cost	Hours	Cost	Hours	Cost	Hours	Cost	Hours	Cost	Hours	Cost
CRK v. CWS	232	\$ 61,308.00	-	\$ -	-	\$ -	-	\$ -	-	\$ -	-	\$ -	-	\$ -	231.50	\$ 61,308.00
Town of Lexington v. CWS (condemnation)	1	\$ 400.50	-	\$ -	-	\$ -	-	\$ -	-	\$ -	-	\$ -	-	\$ -	1	\$ 400.50
ALC - DHEC Permit Denial	11	\$ 3,366.00	-	\$ -	-	\$ -	-	\$ -	-	\$ -	-	\$ -	-	\$ -	11	\$ 3,366.00
ALC - I-20 Connection	8	\$ 2,412.00	-	\$ -	-	\$ -	-	\$ -	-	\$ -	-	\$ -	-	\$ -	8	\$ 2,412.00
CWS v. EPA	158	\$ 38,439.00	1	\$ 150.00	-	\$ -	-	\$ -	-	\$ -	-	\$ -	-	\$ -	159	\$ 38,589.00
Total	410	\$ 105,925.50	1	\$ 150.00	-	\$ -	-	\$ -	-	\$ -	-	\$ -	-	\$ -	411	\$ 106,075.50
Expenses		\$ 446.47		\$ -		\$ -		\$ -		\$ -		\$ -		\$ -		\$ 446.47
Advances		\$ -		\$ -		\$ -		\$ -		\$ -		\$ -		\$ -		\$ -
Total from Breakdown of Costs		\$ 106,371.97		\$ 150.00		\$ -		\$ -		\$ -		\$ -		\$ -		\$ 106,521.97

2016		Willoughby		Elliot		Terrell		Haynsworth		Baker		Reinhart		Winston		Total	
Case	Hours	Cost	Hours	Cost	Hours	Cost	Hours	Cost	Hours	Cost	Hours	Cost	Hours	Cost	Hours	Cost	
CRK v. CWS	973	\$ 235,835.00		\$ -		\$ -		\$ -		\$ -		\$ 1,196.25	30	\$ 19,912.00	1,003.00	\$ 237,943.25	
Town of Lexington v. CWS (condemnation)	34	\$ 9,747.00		\$ -		\$ -		\$ -		\$ -		\$ -		\$ -	34	\$ 9,747.00	
ALC - DHEC Permit Denial	305	\$ 82,390.50	0	\$ 87.50	1	\$ 220.00		\$ -		\$ -		\$ -		\$ -	306	\$ 82,698.00	
ALC - I-20 Connection	148	\$ 39,501.00	2	\$ 412.50		\$ -		\$ -		\$ -		\$ -		\$ -	150	\$ 39,913.50	
CWS v. EPA	422	\$ 107,741.25		\$ -		\$ -		\$ -		\$ -		\$ -		\$ -	422	\$ 107,741.25	
Total	1,882	\$ 476,214.75	2	\$ 500.00	1	\$ 220.00		\$ -		\$ -		\$ 1,196.25	30	\$ 19,912.00	1,915	\$ 496,043.00	
Expenses		\$ 4,436.00		\$ -		\$ -		\$ -		\$ -		\$ 5.85		\$ 465.37		\$ 4,907.27	
Advances		\$ 27,680.23		\$ -		\$ -		\$ -		\$ -		\$ -		\$ -		\$ 27,680.23	
Total from Breakdown of Costs		\$ 508,331.03		\$ 500.00		\$ 220.00		\$ -		\$ -		\$ 1,202.10		\$ 20,377.37		\$ 530,638.50	

Case	Willoughby		Elliot		Terrell		Haynsworth		Baker		Reinhart		Winston		Total	
	Hours	Cost	Hours	Cost	Hours	Cost	Hours	Cost	Hours	Cost	Hours	Cost	Hours	Cost	Hours	Cost
CRK v. CWS	311	\$ 77,260.50	-	\$ -	-	\$ -	1	\$ 165.00	-	\$ -	-	\$ -	-	\$ -	-	\$ -
Town of Lexington v. CWS (condemnation)	163	\$ 49,459.50	-	\$ -	-	\$ -	-	\$ -	-	\$ -	35	\$ 14,640.00	-	\$ -	-	\$ -
ALC - DHEC Permit Denial	529	\$ 147,159.00	-	\$ -	-	\$ -	-	\$ -	-	\$ -	-	\$ -	-	\$ -	-	\$ -
ALC - I-20 Connection	19	\$ 5,728.50	-	\$ -	-	\$ -	-	\$ -	17	\$ 2,985.00	-	\$ -	-	\$ -	-	\$ -
CWS v. EPA	0	\$ 90.00	-	\$ -	-	\$ -	-	\$ -	-	\$ -	-	\$ -	-	\$ -	-	\$ -
Total	1,022	\$ 279,697.50	-	\$ -	-	\$ -	1	\$ 165.00	17	\$ 2,985.00	35	\$ 14,640.00	-	\$ -	-	\$ -
Expenses		\$ 5,962.34		\$ -		\$ -		\$ -		\$ 151.68		\$ 804.95		\$ -		\$ -
Advances		\$ 47,148.00		\$ -		\$ -		\$ -		\$ -		\$ -		\$ -		\$ -
Total from Breakdown of Costs		\$ 332,808.44		\$ -		\$ 165.00		\$ -		\$ 3,146.68		\$ 15,444.95		\$ -		\$ -
																\$ 351,564.47

2018		Willoughby		Elliot		Terrell		Haynsworth		Baker		Reinhart		Winston		Total	
Case	Hours	Cost	Hours	Cost	Hours	Cost	Hours	Cost	Hours	Cost	Hours	Cost	Hours	Cost	Hours	Cost	
CRK v. CWS	-	\$ -	-	\$ -	-	\$ -	-	\$ -	-	\$ -	-	\$ -	-	\$ -	-	\$ -	
Town of Lexington v. CWS (condemnation)	-	\$ -	-	\$ -	-	\$ -	19	\$ 4,235.00	-	\$ -	-	\$ -	-	\$ -	19	\$ 4,235.00	
ALC - DHEC Permit Denial	-	\$ -	-	\$ -	-	\$ -	-	\$ -	-	\$ -	-	\$ -	-	\$ -	-	\$ -	
ALC - I-20 Connection	-	\$ -	-	\$ -	-	\$ -	-	\$ -	-	\$ -	-	\$ -	-	\$ -	-	\$ -	
CWS v. EPA	-	\$ -	-	\$ -	-	\$ -	-	\$ -	-	\$ -	-	\$ -	-	\$ -	-	\$ -	
Total	-	\$ -	-	\$ -	-	\$ -	19	\$ 4,235.00	-	\$ -	-	\$ -	-	\$ -	19	\$ 4,235.00	
Expenses	-	\$ -	-	\$ -	-	\$ -	-	\$ 37.20	-	\$ -	-	\$ -	-	\$ -	-	\$ 37.20	
Advances	-	\$ -	-	\$ -	-	\$ -	-	\$ -	-	\$ -	-	\$ -	-	\$ -	-	\$ -	
Total from Breakdown of Costs	-	\$ -	-	\$ -	-	\$ -	-	\$ 4,272.20	-	\$ -	-	\$ -	-	\$ -	-	\$ 4,272.20	

TOTAL		Willoughby		Elliot		Terrell		Haynsworth		Baker		Reinhart		Winston		Total	
Case	Hours	Cost	Hours	Cost	Hours	Cost	Hours	Cost	Hours	Cost	Hours	Cost	Hours	Cost	Hours	Cost	
CRK v. CWS	1,515	\$ 375,408.50	-	\$ -	1	\$ 165.00	-	\$ -	-	\$ -	-	\$ 1,196.25	30	\$ 19,912.00	-	\$ 396,676.75	
Town of Lexington v. CWS (condemnation)	198	\$ 59,607.00	-	\$ -	-	\$ -	19	\$ 4,235.00	35	\$ 14,640.00	-	\$ -	-	\$ -	252	\$ 78,482.00	
ALC - DHEC Permit Denial	845	\$ 232,915.50	0	\$ 87.50	1	\$ 220.00	-	\$ -	-	\$ -	-	\$ -	-	\$ -	846	\$ 233,223.00	
ALC - I-20 Connection	175	\$ 47,641.50	2	\$ 412.50	-	\$ -	17	\$ 2,985.00	-	\$ -	-	\$ -	-	\$ -	194	\$ 51,039.00	
CWS v. EPA	581	\$ 140,270.25	1	\$ 150.00	-	\$ -	-	\$ -	-	\$ -	-	\$ -	-	\$ -	581	\$ 140,420.25	
Total	3,314	\$ 866,837.75	3	\$ 650.00	1	\$ 385.00	36	\$ 7,220.00	35	\$ 14,640.00	-	\$ 1,196.25	30	\$ 19,912.00	3,419	\$ 905,841.00	
Expenses		\$ 11,845.46		\$ -		\$ -		\$ 198.78		\$ 804.95		\$ 5.85		\$ 465.37		\$ 12,310.51	
Advances		\$ 74,828.23		\$ -		\$ -		\$ -		\$ -		\$ -		\$ -		\$ 74,828.23	
Total from Breakdown of Costs		\$ 942,511.44		\$ 650.00		\$ 385.00		\$ 7,418.28		\$ 15,444.95		\$ 1,202.10		\$ 20,377.37		\$ 992,889.14	

**APPENDIX C: AFFIDAVIT OF JOHN M. S.
HOEFER**

**BEFORE THE
PUBLIC SERVICE COMMISSION
OF SOUTH CAROLINA
DOCKET NO. 2017-292-WS**

IN RE:)	
)	
Application of Carolina Water Service, Inc.)	
for an Increase in Its Rates for Water and)	AFFIDAVIT
Sewer Services)	
_____)	

Before me personally appeared John M. S. Hoefer, who having first been duly sworn, deposes and states as follows:

1. I am over 18 years of age and competent to make this affidavit.
2. I am a founder and shareholder of Willoughby & Hoefer, P.A. ("Firm") and am primarily responsible for its representation of Carolina Water Service, Inc. ("CWS") in the litigation matters referenced in Public Service Commission of South Carolina ("Commission") Order Number 2018-494-WS in the above-captioned docket.
3. I, along with Randolph R. Lowell, Chad N. Johnston, and Elizabeth S. Mabry of the Firm, have provided legal representation services to CWS in the following five (5) civil actions and administrative proceedings:

(a) Congaree Riverkeeper, Inc. v. Carolina Water Service, Inc., United States District Court, Case Number 3:15-CV-194-MBS;

[Signature]

- (b) Carolina Water Service, Inc. v. Regina McCarty, Administrator, United States Environmental Protection Agency, and Town of Lexington, South Carolina, United States District Court Case Number 3:15-49419-MBS;
- (c) Carolina Water Service, Inc. v. South Carolina Department of Health and Environmental Control and Congaree Riverkeeper, Inc., South Carolina Administrative Law Court, Docket No. 16-ALJ-07-0340-CC;
- (d) South Carolina Department of Health and Environmental Control v. Carolina Water Service, Inc., South Carolina Administrative Law Court, Docket No. 16-ALJ-07-0341-CC, and
- (e) Town of Lexington v. Carolina Water Service, Inc. and Utilities, Inc., South Carolina Court of Common Pleas, Eleventh Judicial Circuit, Civil Action Number 2017-CP-32-03693.

The Firm has served as lead counsel in the District Court and Administrative Law Court cases, and as associate counsel with Joe A. Conner and Adam C. Sanders of the law firm of Baker, Donelson, Bearman, Caldwell and Berkowitz, P.C., in the Circuit Court case.

4. Each attorney involved in this matter has worked faithfully, diligently, and efficiently during the time which he or she has expended on these cases.

5. The Firm's standard hourly rates for litigating matters in the above-referenced forums for each participating attorney are significantly higher than those charged CWS in these cases. This is primarily due to the fact that the Firm has a long-standing relationship with CWS, which now spans three decades and the volume of work that the Firm has historically performed for CWS.

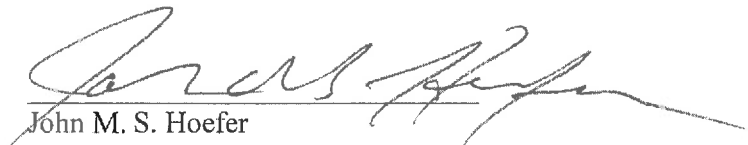
6. These cases all arise from a single issue, namely the initial inability and subsequent refusal of the Town of Lexington ("Town") to provide CWS with a wholesale service connection which would allow for the elimination of the discharge of treated wastewater into the Lower Saluda River by CWS from its I-20 System pursuant to its National Pollutant Discharge Elimination System ("NPDES") permit issued by the South Carolina Department of Health and Environmental Control. The Town is required to either offer wholesale service or acquire the I-20 System by the Water Quality Management Plan adopted by the Central Midlands Council of Governments under 33 U.S.C.A. §1288(c) and South Carolina law. Because these matters arose from that one issue, the Firm's invoices for legal services, expenses, and costs were submitted in a block billing format as has long been its practice in matters it has undertaken on behalf of CWS other than ratemaking proceedings before the Commission.

7. At the request of CWS, I have personally reviewed the Firm's invoices for services in these cases for the purpose of assigning the time spent on legal services and costs advanced to each individual case and have supplied that information to CWS counsel. A summary of the time spent on legal services, associated fees, and costs advanced in each of these cases as a result of my review is attached hereto and incorporated herein as Exhibit A. A summary of the time spent by each attorney from the Firm who has worked on these matters is attached hereto and incorporated herein as Exhibit B.

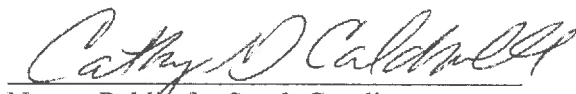
8. These cases, other than that identified in paragraph 3(b) above, remain pending. Therefore, the amount of fees associated with litigating the matters encompassed therein may be expected to increase. Nonetheless, my affidavit pertains only to legal services provided during the period September 1, 2015, through February 12, 2018, CWS has already incurred additional legal fees in these matters.

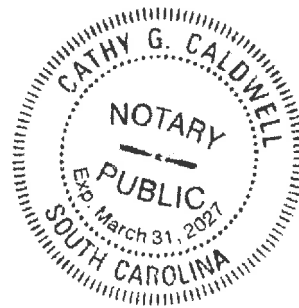
9. The Firm's attorneys' fees represent time which was expended in the good faith, diligent research, preparation, drafting, and argument in these matters.

FURTHER AFFIANT SAYETH NOT.


John M. S. Hoefer

Sworn to and Subscribed Before Me
This 2nd day of August, 2018.


Notary Public for South Carolina
My Commission Expires: 3/31/2021



CRK v CWS

Total Hours	1515
Total Fees	\$375,403.50
Total Costs Advanced	\$21,662.23
Total Billed	\$397,065.73

Town of Lexington v CWS

Total Hours	198.30
Total Fees	\$59,607.00
Total Costs Advanced	\$52,108.05
Total Billed	\$111,715.05

ALC - DHEC Permit Denial

Total Hours	844.90
Total Fees	\$232,915.50
Total Costs Advanced	\$428.25
Total Billed	\$233,343.75

ALC - I-20 Connection

Total Hours	174.80
Total Fees	\$47,641.50
Total Costs Advanced	\$600.00
Total Billed	\$48,241.50

CWS v EPA

Total Hours	580.65
Total Fees	\$146,270.25
Total Costs Advanced	\$29.70
Total Billed	\$146,299.95

CRK v CWS

	JH	RRL	BPM	TCG	CNJ	JWR	ESM	Paralegal
Total Hours	325.50	165.20	16.00	0.60	985.10	0.50	0.00	22.50
Hourly Rate	\$315.00	\$270.00	\$270.00	\$270.00	\$225.00	\$225.00	\$315.00	\$90.00
Total Fees	\$102,532.50	\$44,604.00	\$4,320.00	\$162.00	\$221,647.50	\$112.50	\$0.00	\$2,025.00

Total Fees	\$375,403.50
Total Costs Advanced	\$21,662.23
Total Billed	\$397,065.73

Town of Lexington v CWS

	JH	RRL	BPM	TCG	CNJ	JWR	ESM	Paralegal
Total Hours	153.20	11.70	0.00	0.00	25.90	0.00	7.50	0
Hourly Rate	\$315.00	\$270.00	\$270.00	\$270.00	\$225.00	\$225.00	\$315.00	
Total Fees	\$48,258.00	\$3,159.00	\$0.00	\$0.00	\$5,827.50	\$0.00	\$2,362.50	\$0.00

Total Fees	\$59,607.00
Total Costs Advanced	\$52,108.05
Total Billed	\$111,715.05

ALC - DHEC Permit Denial

JH	RRL	BPM	TCG	CNJ	JWR	ESM	Paralegal
452.70	44.60	1.00	0.40	346.20	0.00	0.00	0
\$315.00	\$270.00	\$270.00	\$270.00	\$225.00	\$225.00	\$315.00	
\$142,600.50	\$12,042.00	\$270.00	\$108.00	\$77,895.00	\$0.00	\$0.00	\$0.00

Total Hours

Hourly Rate

Total Fees

Total Fees	\$232,915.50
Total Costs Advanced	\$428.25
Total Billed	\$233,343.75

ALC - I-20 Connection

	JH	RRL	BPM	TCG	CNJ	JWR	ESM	Paralegal
Total Hours	81.90	20.90	0.00	0.00	72.00	0.00	0.00	0
Hourly Rate	\$315.00	\$270.00	\$270.00	\$270.00	\$225.00	\$225.00	\$315.00	
Total Fees	\$25,798.50	\$5,643.00	\$0.00	\$0.00	\$16,200.00	\$0.00	\$0.00	\$0.00

Total Fees	\$47,641.50
Total Costs Advanced	\$600.00
Total Billed	\$48,241.50

CWS v EPA

	JH	RRL	BPM	TCG	CNJ	JWR	ESM	Paralegal
Total Hours	113.40	120.40	0.00	0.00	346.85	0.00	0.00	0
Hourly Rate	\$315.00	\$270.00	\$270.00	\$270.00	\$225.00	\$225.00	\$315.00	
Total Fees	\$35,721.00	\$32,508.00	\$0.00	\$0.00	\$78,041.25	\$0.00	\$0.00	\$0.00

Total Fees	\$146,270.25
Total Costs Advanced	\$29.70
Total Billed	\$146,299.95